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8 Attorney for Defendant  
9 CHRISTOPHER KINNEY

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,	)	CASE NO. CR 16-0531 EMC
	)	
14 Plaintiff,	)	<b>STIPULATION AND [PROPOSED] ORDER</b>
	)	<b>CONTINUING HEARING AND EXCLUSION</b>
15 v.	)	<b>OF TIME UNDER THE SPEEDY TRIAL ACT</b>
	)	
16 CHRISTOPHER KINNEY,	)	
	)	
17 Defendant.	)	

18 **STIPULATION**

19 The parties hereby request that the status conference hearing date of April 25, 2018, presently  
20 scheduled at 2:30 p.m. before the Honorable Edward M. Chen, be vacated and the matter be reset for  
21 further status hearing on July 18, 2018 at 2:30 p.m. to permit sufficient time for the  
22 neuropsychological evaluation and report to be prepared and provided to defense counsel.

23 Defendant's counsel represents that she has fully informed Mr. Kinney of his Speedy Trial  
24 rights and that, to her knowledge, her client understands those rights and agrees to waive them.  
25 Defendant's counsel further believes that her client's decision to give up the right to be brought to trial  
26 earlier than if time were not excluded from the Speedy Trial Act is an informed and voluntary one.

27 The parties agree and stipulate that time under the Speedy Trial Act should be excluded from  
28 the date of this filing until July 18, 2018, under 18 U.S.C. §3161(h)(7)(B)(iv), for effective

1 preparation of defense counsel while further investigation is conducted and legal research is  
2 performed.

3 SO STIPULATED.

4  
5 ALEX TSE  
Acting United States Attorney

6 DATED: April 23, 2018

7 /s/ Karen Kreuzkamp

8  
9 KAREN KREUZKAMP  
Assistant United States Attorney

10 DATED: April 23, 2018

11 /s/ Gail Shifman

12  
13 GAIL SHIFMAN  
Attorney for Defendant  
CHRISTOPHER KINNEY

14  
15 **[~~PROPOSED~~] ORDER**

16 Based on the assertions and agreement of the parties as set forth in the Stipulation, and good  
17 cause having been shown,

18 IT IS HEREBY ORDERED THAT the above-captioned matter is continued to July 18, 2018 at  
19 2:30 p.m., before the Honorable Edward M. Chen for further status conference.

20 The Court further finds that failing to exclude the time between the date of this filing and July  
21 18, 2018, would unreasonably deny defense counsel the reasonable time necessary for effective  
22 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The  
23 Court further finds that the ends of justice served by excluding the time between now and July 18,  
24 2018, from computation under the Speedy Trial Act outweigh the best interests of the public and the  
25 defendant in a speedy trial.  
26  
27  
28

1 Accordingly, IT IS FURTHER ORDERED that the time between today's date and July 18,  
2 2018, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(B)(iv).

3 DATED: April <sup>24</sup>\_\_\_\_, 2018

